

ey Docket No. 5108N1P1

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Zhang, et al.

Serial No.: 10/501,689

Filed: 07/16/2004

For: Benzofuran and Benzothiophene Derivatives Useful in the Treatment of Hyper-Proliferative Disorders

#### **CERTIFICATION OF MAILING UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this correspondence and any papers referred to as attached are being deposited, on the date shown below, with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date:

OCT 1 2 2004

MAIL STOP AMENDMENT **COMMISSIONER FOR PATENTS** P.O. BOX 1450 **ALEXANDRIA, VA 22313-1450** 

# TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT **BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. 1.97(b))**

Dear Sir:

Applicants wish to cite for the record in the above-identified application the references shown on the accompanying copy of PTO form 1449.

### **IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING** INFORMATION DISCLOSURE STATEMENT

The information disclosure statement transmitted herewith is being filed before the mailing date of the first Office action on the merits.

#### **FEE PAYMENT**

Applicants believe that no fees are due with this submission. However, the Commissioner is hereby authorized to charge any fees that may have been overlooked but that are required to Deposit Account 13-3372. Additionally, please credit any overpayment to the same account.

Respectfully submitted,

Reg. No.: 31,018

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Date: 11 Da. 2004 William F. Gray

Attorney for Applicant(s)

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U.S. Department of Commerce Patent and Trademark Office Serial No. Art Unit 10/501,689

Filing Date 07/16/2004

Atty. Docket No. 5108N1P1

# SUPPLEMENTAL INFORMATION DISCLOSURE CITATION

Applicant(s)
Zhang, et al.

## **U.S. PATENT DOCUMENTS**

*				DOC	UMEN	T NO.			DATE (MM/DD/YY)	NAME	CLASS	SUB- CLASS	FILING DATE  IF  APPROPRIATE
	U2	5	9	2	2	7	4	0	07/13/99				
	U3	5	6	9	1	3	5	9	11/25/97	<del></del>			
	U4	5	6	2	2	9	8	9	07/22/97				
	U5	5	5	6	5	4	8	8	10/15/96				
	U6	5	5	0	4	2	1	3	07/02/96				

# FOREIGN PATENT DOCUMENTS

*			DOC	UMEN	T NO.			DATE (DD/MM/YY)	COUNTRY	PRIMARY CLASS	SUB- CLASS	TRANSLATION		
												YES	NO	
	F2	0	5	5	1	6	6	2	21/07/93	EP				
	F3	0	7	3	1	0	9	9	11/09/96	EP				
	F4	9	8	0	2	4	4	0	22/01/98	WO				
	F5	0	0	6	9	8	4	4	23/11/00	WO				
	F6	0	0	6	9	8	4	3	23/11/00	WO				
	F7	0	0	6	9	8	4	2	23/11/00	WO	<del> </del> -			
	F8	0	0	6	9	8	4	1	23/11/00	WO				
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OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

R2	Hayakawa, et al., "4-Hydroxy-3-Methyl-6-Phenylbenzofuran-2-Carboxylic Acid Ethyl Ester Derivatives as Potent Anti-Tumor Agents," <i>Bioorg. Med. Chem. Lett.</i> , 14, 455-458 (2004).
R3	Hayakawa, et al., "A Library Synthesis of 4-Hydroxy-3-Methyl-6-Phenylbenzofuran-2-Carboxylic Acid Ethyl Ester Derivatives as Anti-Tumor Agents," <i>Bioorg. Med. Chem. Lett.</i> , 14, 4383-4387 (2004).
R4	Hayakawa, et al., "Thienopyridine and Benzofuran Derivatives as Potent Anti-Tumor Agents Possessing Different Structure-Activity Relationships," <i>Bioorg. Med. Chem. Lett.</i> , 14, 3411-3414 (2004).

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.